

After the hearing: What's next?

When the judge orders that one person pay the other, payment is due within 30 days.

If you WON and are not paid within 30 days you can:

1. Take money from a paycheck or bank account. If you know where the person who owes you money works or has a bank account, use a Writ of Execution (EJ-130) to have the Sheriff collect the money and pay it to you.

2. Learn where the person banks or works. If you do not know where the person works or banks, you can file an Order of Examination (SC-134). You will have a hearing where you will be able ask where the person works, banks, and what kinds of property they have.

3. Take the money from real property sold or refinanced. File an Abstract of Judgment (EJ-001) in the clerk's office, and record a certified copy at the County Recorder's Office. An abstract puts a "lien" on real property so that if the property is sold or refinanced, you may receive money.

4. Suspend driver's license. If the case involved a motor vehicle accident, you may contact the Department of Motor Vehicles about suspending the driver's license of the person who owes you money.

5. Get money from a business. The Sheriff can take money from a business if you give the Sheriff a completed and filed Writ of Execution (EJ-130).

6. Add interest & costs. Interest on the money owed is 10% per year. Costs of collection and interest can be added to the judgment by filing a Memorandum of Costs (MC-012).

7. Length of time to collect Judgment. You have 10 years to get your money from the other person before your judgment expires. To renew your case, file a Notice of Renewal of Judgment (EJ-195) with the clerk's office before the 10 year period expires.

If you LOST you can:

1. Pay. Pay the amount owed directly to the other person, or file a Request to Pay Judgment to the Court (SC-145).

2. Pay in installments. File Request to Pay Judgment in Installments (SC-106) and Financial Statement form (SC-133) showing how much you can pay per week or per month. If the other person rejects this plan, the judge will decide whether or not your payment plan is acceptable.

3. Keep money to live on. If you need the money to provide basic necessities of life such as food, shelter and clothing for yourself and your dependents, in response to Wage Garnishment deliver a Claim of Exemption (982.5(5)) and Financial Statement (EJ-165) to the Sheriff.

4. Appeal. If you are not the plaintiff, or person filing the case, file the Notice of Appeal form (SC-140) within 30 days of the trial.

5. Vacate. If you did not come to the trial, file a Motion to Vacate (SC-135) within 30 days from the day you got the "Entry of Judgment" in the mail. If you never received any Small Claims papers, you have 180 days from the day you found out you owed money to file this motion. If the Motion to Vacate is denied, you have 10 days to appeal. If the judge denies this appeal, you cannot appeal again.

For further information, call the Small Claims Advisor at 482-4739.

Court Forms

Writ of Execution
(EJ-130)

Order of Examination
(SC-134)

Abstract of Judgment
(EJ-001)

Memorandum of Costs
(MC-012)

Notice of Renewal of Judgment
(EJ-195)

Request to Pay Judgment to Court
(SC-145)

Request to Pay Judgment in Installments
(SC-106)

Financial Statement (debtor)
(SC-133)

Claim of Exemption (wage garnishment)
(982.5(5))

Financial Statement (wage garnishment)
(EJ-165)

Notice of Appeal
(SC-140)

Notice of Motion to Vacate
(SC-135)

Superior Court, County of Imperial Mission Statement

Render fair and equal justice; inspire confidence and trust in the legal system; and serve the public with courtesy, respect, integrity, professionalism, and efficiency.

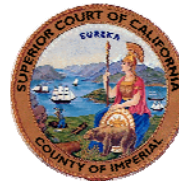
Small Claims forms may be purchased at any of the following courthouses:

El Centro (760) 482-4374

Brawley (760) 351-2840

Calexico (760) 357-3726

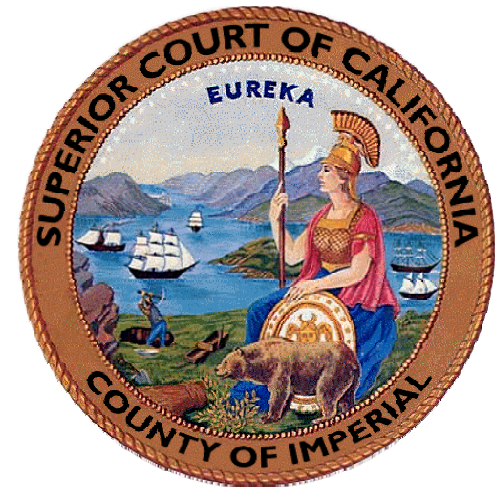
and are also available at
www.courtinfo.ca.gov



939 Main Street
El Centro, CA
(760) 482-4739

SMALL CLAIMS INFORMATION BROCHURE

"After the hearing, what's next?"



For more information call:
(760) 482-4739
Self Help Center
939 Main Street
El Centro, CA